

**TRANSLATION**

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>JML040196/GBO</b>	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. <b>PCT/FR2004/003047</b>	International filing date ( <i>day/month/year</i> ) <b>26.11.2004</b>	Priority date ( <i>day/month/year</i> ) <b>02.12.2003</b>	
International Patent Classification (IPC) or national classification and IPC <b>G06F3/033</b>			
<p>Applicant <b>SENSITIVE OBJECT</b></p>			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <b>5</b> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/FR2004/003047

## Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 

This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
 
  - international search (Rule 12.3 and 23.1(b))
  - publication of the international application (Rule 12.4)
  - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
 

the international application as originally filed/furnished  
 the description:  
 pages 14 \_\_\_\_\_ as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 the claims:  
 nos. 1-15 \_\_\_\_\_ as originally filed/furnished  
 nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19  
 nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 the drawings:  
 sheets 1/1 \_\_\_\_\_ as originally filed/furnished  
 sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3.  The amendments have resulted in the cancellation of:
 

the description, pages \_\_\_\_\_  
 the claims, nos. \_\_\_\_\_  
 the drawings, sheets/figs \_\_\_\_\_  
 the sequence listing (*specify*): \_\_\_\_\_  
 any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 

the description, pages \_\_\_\_\_  
 the claims, nos. \_\_\_\_\_  
 the drawings, sheets/figs \_\_\_\_\_  
 the sequence listing (*specify*): \_\_\_\_\_  
 any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

Box No. V	International application No. PCT/FR2004/003047
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Box No. V	<b>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</b>
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## 1. Statement

Novelty (N)	Claims	2-14	YES
	Claims	1, 15	NO
Inventive step (IS)	Claims	5-11	YES
	Claims	1-4, 12-15	NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

## 1. Reference is made to the following documents:

- D1: US-A-5 790 104 (SHIEH JOHNNY MENH-HAN) 4 August 1998 (1998-08-04)
- D2: EP-A-0 546 704 (AMERICAN TELEPHONE AND TELEGRAPH COMPANY) 16 June 1993 (1993-06-16)
- D3: "SOFT ADAPTIVE FOLLOW-FINGER KEYBOARD FOR TOUCH-SCREEN PADS" IBM TECHNICAL DISCLOSURE BULLETIN, IBM CORP. NEW YORK, US, vol. 36, no. 11, 1 November 1993 (1993-11-01), pages 5-7, XP000424761 ISSN: 0018-8689
- D4: WO 03/054680 A (TRACHTE RALF) 3 July 2003 (2003-07-03)

2. The present application fails to meet the requirements of PCT Article 33(1), since the subject matter of claim 1 does not comply with the criterion of novelty as defined by PCT Article 33(2).

2.1 D1 describes (the references between parentheses apply to said document) a man-machine interface method, during which:

- physical interactions with active areas belonging to an interface object are generated, said areas

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<p>being associated with predetermined information;</p> <ul style="list-style-type: none"><li>- the active areas where said interactions take place are detected by measuring at least one physical quantity (column 3, line 58 to column 4, line 6, figure 2);</li><li>- and each interaction detected is associated with the predetermined information corresponding to the active area where said interaction was detected (column 5, lines 20 to 29);</li><li>- the active areas are defined for a predetermined finite time period, then deactivated on expiry of said predetermined time period;</li><li>- and, when interactions with the interface object are detected while said active areas are deactivated, said active zones are redefined automatically and successively according to the first interactions successively detected (column 7, lines 23 to 26; column 4, lines 7 to 27).</li></ul> <p>2.2 Indeed, the system disclosed in D1 offers the user a choice when a hand is placed upon the touch-sensitive screen. However, it is a special case that arises, for example in a system with more than one user, when the user is changed. Normally, when the same user places his or her hand on the touch-sensitive screen again, the system will identify the hand and will automatically redefine the active areas, as described in D1, column 5, line 62 to column 6, line 20 and figure 3. Note that the system requests confirmation only after having redefined the active areas and that normal use of the system by the user initiates such a confirmation, hence no further action by the user is</p>	

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PCT/FR2004/003047**Box No. V** **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

required and therefore the procedure is entirely automatic.

- 2.3 With regard to the fact that the active areas are successively redefined according to the first interactions found, since the system disclosed in D1 identifies the hand of the user according to the spatial relationship among the contact areas (column 4, lines 7 to 19), and cites the instances in which only a few portions of the hand are involved (column 4, lines 3 to 6), such features are implicitly disclosed in D1. Indeed, a positive detection will occur when a sufficient number of the interactions takes place.
3. In the light of D1 to D4 and the corresponding passages cited in the international search report, dependent claims 2 to 4 and 12 to 15 contain no feature which, when combined with the features of any one of the claims to which they refer, defines subject matter that complies with the PCT requirements of novelty and/or inventive step.
4. However, the combination of features of claims 5 to 11 is not found in the prior art and cannot be derived in an obvious manner therefrom.